



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

CRIMINAL JUSTICE DIVISION
Federal Habeas Corpus Section

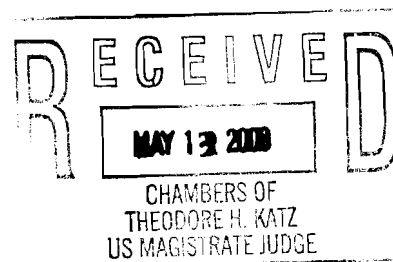
Writer's Direct Telephone No.
212-416-8820

May 12, 2008

BY HAND

Honorable Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1660
New York, New York 10007

Re: Mota v. Ekpe, No. 08 Civ. 3228 (RMB) (THK)



Your Honor:

I am an Assistant Attorney General in the office of Andrew M. Cuomo, Attorney General of the State of New York. By agreement with the New York County District Attorney's Office, I will be representing respondent in this habeas corpus proceeding. I am writing to request a 90-day extension of time to answer the petition.

On April 16, 2008, Your Honor issued an order directing respondent to file answering papers by May 27, 2008. Upon receipt of that order, this office ordered the state court records and transcripts in the case. To date, we have received only the Appellate Division briefs. We are making diligent efforts to obtain the balance of the state court materials. Moreover, I was assigned to this case only last week, and am currently working on nine other habeas corpus petitions and two Second Circuit briefs. For these reasons, I am requesting a 90-day extension, until August 25, 2008, to file my answer in this case.

I thank the Court for its consideration.

Respectfully submitted,

Jodi A. Danzig (JD-8126)
Assistant Attorney General

cc: Mr. Pedro Mota (by U.S. mail)
04-A-1649
Watertown Correctional Facility
23147 Swan Road
Watertown, New York 13601-9340

SO ORDERED

5/13/08
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE